

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases 16-10444

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The Hon. Judith E. Levy
United States District Judge

Bellwether III Case No. 17-10164

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NOTICE OF OBJECTION
TO DESIGNATIONS OF PROTECTED MATERIAL

Pursuant to the Court’s December 19, 2019 Confidentiality Order [Case No. 16-cv-10444, ECF No. 299],¹ Plaintiffs challenge the designations of the following documents previously produced by the Veolia Defendants (“Veolia”), each of which has been designated **CONFIDENTIAL** or **HIGHLY CONFIDENTIAL – FOR ATTORNEYS’ EYES ONLY**:

1. VWNAOS552989-
VWNAOS552989.0001
2. VWNAOS553559-
VWNAOS553559.0001
3. VWNAOS531830-
VWNAOS531830.0004
4. VWNAOS511767-
VWNAOS511767.0028

¹See also Fifth Amended Case Management Order [Case No. 16-cv-10444, ECF No. 1255-3].

5. VWNAOS512375-
VWNAOS512375.0002
6. VWNAOS511462-
VWNAOS511462.0019
7. VWNAOS545023-
VWNAOS545023.0016
8. VWNAOS528677-
VWNAOS528677.0017
9. VWNAOS528761-
VWNAOS528761.0006
- 10.VWNAOS545003-
VWNAOS545003.0004
- 11.VWNAOS550153-
VWNAOS550153.0001
- 12.VWNAOS528711-
VWNAOS528711.0001
- 13.VWNAOS528376-
VWNAOS528376.0013
- 14.VWNAOS545013-
VWNAOS545013.0001
- 15.VWNAOS537549-
VWNAOS537549.0002
- 16.VWNAOS531824-
VWNAOS531824.0010
- 17.VWNAOS528366-
VWNAOS528366.0003

18.VWNAOS550014-
VWNAOS550014.0002

19.VWNAOS528274-
VWNAOS528274.0047

20.VWNAOS531834-
VWNAOS531834.0010

21.VWNAOS553136-
VWNAOS553136.0001

22.VWNAOS312142-
VWNAOS312142.0029

23.VWNAOS528607-
VWNAOS528607.0001

24.VWNAOS545053-
VWNAOS545053.0002

25.VWNAOS544683-
VWNAOS544683.0001

26.VWNAOS528316-
VWNAOS528316.0004

27.VWNAOS528240-
VWNAOS528240.0011

28.VWNAOS528224-
VWNAOS528224.0004

29.VWNAOS526955-
VWNAOS526955.0002

30.VWNAOS511229-
VWNAOS511229.0010

31.VWNAOS511545-
VWNAOS511545.0001

32.VWNAOS528072-
VWNAOS528072.0006

33.VWNAOS528292-
VWNAOS528292.0001

34.VWNAOS312048-
VWNAOS312048.0038

35.VWNAOS528204-
VWNAOS528204.0009

36.VWNAOS511623-
VWNAOS511623.0013

37.VWNAOS546112-
VWNAOS546112.0001

38.VWNAOS510937-
VWNAOS510937.0010

39.VWNAOS528282-
VWNAOS528282.0016

40.VWNAOS528759-
VWNAOS528759.0005

Plaintiffs informed Veolia of their formal challenge to these designations on September 25, 2023 via email.²

Veolia has not acknowledged the correspondence.

² September 25, 2023 correspondence to Veolia (Challenge to Confidentiality Designations), attached hereto as **Exhibit A** and incorporated by reference as if fully stated herein.

The subject documents do not contain confidential information under applicable law or pursuant to this Court's prior orders. Thus, because there is a profound public interest in the Flint Water Crisis and in this litigation (as Veolia and the Court have consistently acknowledged); because the truth matters (as Veolia has vigorously and publicly argued);³ and in light of Veolia's significant public presence online and Veolia's continued public misinformation campaign,⁴ these documents must be de-designated as CONFIDENTIAL. Further, if any are made public, such would not cause oppression, competitive disadvantage, infringement of privacy rights established by statute or regulation, or infringement of confidentiality requirements established by statute or regulation with respect to government purchasing or other operations. Conversely, and perhaps most importantly, doing so might begin to level the playing field.

Dated: October 9, 2023

Respectfully submitted,

/s/ Corey M. Stern

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³ See @VNAFlintFacts: Description of Twitter handle, attached hereto as **Exhibit B** and incorporated by reference as if fully stated herein.

⁴ See Declaration of Lauren H. Cohen, Ph.D., previously filed in Case No. 16-cv-10444 [ECF No. 2550], attached hereto as **Exhibit C** and incorporated by reference as if fully stated herein.

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CERTIFICATE OF SERVICE

I, Corey Stern, hereby certify that on October 9, 2023 the foregoing document and the attached exhibits were served on all counsel of record via the court's ECF system.

/s/ Corey M. Stern
Corey M. Stern